

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION

**ORDER (1) ADOPTING REPORT AND RECOMMENDATION (DOC. 38), AND  
(2) DENYING MOTION TO SUPPRESS (DOC. 17)**

On December 17, 2010, the Honorable Sarah W. Hays issued her Report and Recommendation concluding that the Court should deny Defendant's motion to suppress statements. The parties have not filed objections to the Report and Recommendation, and the time for doing so has passed. See 28 U.S.C. § 636(b)(1)(C); Local Rule 74.1(a)(2). Upon careful and independent review of the suppression hearing transcript and the parties' arguments, as well as the applicable law, the Court agrees with the Report that Defendant's statements to officers were made freely and voluntarily after he was advised of and understood his rights. Judge Hays' Report and Recommendation is adopted as the Order of the Court. Defendant's motion to suppress statements is denied.

IT IS SO ORDERED.

/s/ Ortrie D. Smith  
ORTRIE D. SMITH, JUDGE  
UNITED STATES DISTRICT COURT

DATE: January 6, 2011